

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LUMENTUM OPERATIONS LLC,

Plaintiff,

v.

NLIGHT, INC.; DAHV KLINER; and
ROGER L. FARROW,

Defendants.

NO. 3:22-CV-05186-BHS

**STIPULATED MOTION AND ORDER
TO MODIFY SCHEDULING ORDER**

**NOTED ON MOTION CALENDAR:
JULY 11, 2024**

STIPULATED MOTION

Pursuant to LCR 16(b)(6), Plaintiff Lumentum Operations LLC (“Lumentum”) and Defendants nLIGHT, Inc. (“nLIGHT”), Dahv Kliner (“Kliner”), and Roger L. Farrow (“Farrow”) (collectively, the “Parties”), by and through the undersigned counsel, hereby respectfully submit this Stipulated Motion to Modify the Scheduling Order (Dkt. Nos. 47, 89).

Since the Court granted the Parties’ prior stipulation to modify the Scheduling Order (Dkt. 89), the Parties have conducted additional depositions and written discovery, and are nearing the completion of discovery. The parties have conferred and have agreed on a schedule for remaining fact and expert witness depositions in order to accommodate the availability and travel needs for witnesses and counsel. Due to availability of witnesses and counsel, including a third-party witness, the Parties are unable to schedule all depositions before the current deadline for discovery, July 17, 2024.

STIPULATED MOTION AND ORDER TO MODIFY
SCHEDULING ORDER - 1

Case No. 3:22-cv-05186-BHS

DMS_US.364925421.2

FAEGRE DRINKER BIDDLE & REATH LLP
1144 15TH ST. #3400
DENVER, CO 80202
(303) 607-3500

So that all depositions may be completed sufficiently in advance of the deadline for dispositive motions, the Parties agree that good cause exists to slightly modify the Scheduling Order as set forth below. This request only seeks to modify two pre-trial dates while keeping the trial date and remaining pre-trial dates the same. Further, the parties agree that the only discovery that may occur after the current deadline for discovery (July 17, 2024) is the depositions of the specific witnesses agreed upon by the Parties; namely, the deposition of Lumentum's damages expert on July 22, 2024, and the deposition of a third-party witness on July 23, 2024.

Event	Original Date	Revised Date per Dkt. 89	Proposed Fourth Revised Date
Discovery Deadline	June 17, 2024	July 17, 2024	July 23, 2024
Dispositive Motions Deadline	July 17, 2024	July 24, 2024	July 30, 2024
Motions in Limine Deadline	September 9, 2024	September 9, 2024	September 9, 2024
Pretrial Order Deadline	September 23, 2024	September 23, 2024	September 23, 2024
Voire Dire, Jury Instruction, Trial Brief, and Agreed Neutral Statement of the Case, and Deposition Designations Deadline	September 24, 2024	September 24, 2024	September 24, 2024
Pretrial Conference	September 30, 2024, at 3:00 PM	September 30, 2024, at 3:00 PM	September 30, 2024, at 3:00 PM
Seven Day Jury Trial set to commence	October 15, 2024, at 9:00 AM	October 15, 2024, at 9:00 AM	October 15, 2024, at 9:00 AM

For the foregoing reasons, the Parties respectfully request that the Court modify the Scheduling Order as set forth above. A proposed Order is submitted herewith.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

STIPULATED MOTION AND ORDER TO MODIFY
SCHEDULING ORDER - 2

Case No. 3:22-cv-05186-BHS

DMS_US.364925421.2

FAEGRE DRINKER BIDDLE & REATH LLP
1144 15TH ST. #3400
DENVER, CO 80202
(303) 607-3500

DATED this 11 day of July , 2024.

FAEGRE DRINKER BIDDLE & REATH LLP

By: s/ Joel D. Sayres

Joel D. Sayres
Shelby Pickar-Dennis
1144 15th Street, Suite 3400
Denver, CO 80202
Telephone: (303) 607-3500
Joel.Sayres@FaegreDrinker.com
Shelby.Pickar-Dennis@FaegreDrinker.com

David J.F. Gross
Braden M. Katterheinrich
Johnathon E. Webb
Doowon R. Chung
2200 Wells Fargo Center
90 S. 7th Street, Suite 2300
Minneapolis, MN 55402
Telephone: (612) 766-7000
David.Gross@FaegreDrinker.com
Braden.Katterheinrich@FaegreDrinker.com
Johnathon.Webb@FaegreDrinker.com
Doowon.Chung@FaegreDrinker.com

Zachary D. Wawrzyniakowski
320 South Canal Street, Suite 3300
Chicago, IL 60606-5707
Telephone: (312) 569-1000
Zachary.Wawrzyniakowski@FaegreDrinker.com

CORR|DOWNS PLLC

Joseph P. Corr, WSBA No. 36584
100 W Harrison St, Suite N440
Seattle, WA 98119
Telephone: 206.962.5040
ghoog@corrdowns.com
jcorr@corrdowns.com

Attorneys for Plaintiff Lumentum Operations LLC

1 WILEY REIN LLP

2 By: s/ Scott A. Felder

3 Scott A. Felder (*Pro Hac Vice*)
4 Wesley E. Weeks (*Pro Hac Vice*)
5 Lisa M. Rechden (*Pro Hac Vice*)
6 2050 M Street NW
7 Washington, DC 20036
8 Tel: (202) 719-7000
9 sfelder@wiley.law
10 wweeks@wiley.law
11 lrechden@wiley.law

12 BRYAN CAVE LEIGHTON PAISNER LLP

13 Tyler L. Farmer, WSBA #39912
14 Elisabeth Read, WSBA #59762
15 999 Third Avenue, Suite 4400
16 Seattle, WA 98104
17 Telephone: (206) 623-1700
18 tyler.farmer@bclplaw.com
19 elisabeth.read@bclplaw.com

20 *Attorneys for Defendants nLIGHT, Inc., Dahv Kliner*
21 *and Roger L. Farrow*

ORDER

This matter, having come before the Court on the above stipulation, it is hereby ORDERED THAT:

Relief is granted to extend the following deadlines:

Event	Original Date	Revised Date	Proposed Third Revised Date
Discovery Deadline	June 17, 2024	July 17, 2024	July 23, 2024
Dispositive Motions Deadline	July 17, 2024	July 24, 2024	July 30, 2024

Pursuant to the above Stipulation, the trial date and all other pre-trial deadlines shall remain the same.

IT IS SO ORDERED.

Dated this 15th day of July, 2024.



BENJAMIN H. SETTLE
United States District Judge

Presented by:

FAEGRE DRINKER BIDDLE & REATH LLP

By: s/ Joel D. Sayres

Joel D. Sayres
Shelby Pickar-Dennis
1144 15th Street, Suite 3400
Denver, CO 80202
Telephone: (303) 607-3500
Joel.Sayres@FaegreDrinker.com
Shelby.Pickar-Dennis@FaegreDrinker.com

David J.F. Gross
Braden M. Katterheinrich
Johnathon E. Webb

Doowon R. Chung
2200 Wells Fargo Center
90 S. 7th Street, Suite 2300
Minneapolis, MN 55402
Telephone: (612) 766-7000
David.Gross@FaegreDrinker.com
Braden.Katterheinrich@FaegreDrinker.com
Johnathon.Webb@FaegreDrinker.com
Doowon.Chung@FaegreDrinker.com

Zachary D. Wawrzyniakowski
320 South Canal Street, Suite 3300
Chicago, IL 60606-5707
Telephone: (312) 569-1000
Zachary.Wawrzyniakowski@FaegreDrinker.com

CORR|DOWNS PLLC

Joseph P. Corr, WSBA No. 36584
100 W Harrison St, Suite N440
Seattle, WA 98119
Telephone: 206.962.5040
ghoog@corrdowns.com
jcorr@corrdowns.com

Attorneys for Plaintiff Lumentum Operations LLC

WILEY REIN LLP

By: s/ Scott A. Felder

Scott A. Felder (*Pro Hac Vice*)
Wesley E. Weeks (*Pro Hac Vice*)
Lisa M. Rechden (*Pro Hac Vice*)
2050 M Street NW
Washington, DC 20036
Tel: (202) 719-7000
sfelder@wiley.law
wweeks@wiley.law
lrechden@wiley.law

BRYAN CAVE LEIGHTON PAISNER LLP

Tyler L. Farmer, WSBA #39912
Elisabeth Read, WSBA #59762
999 Third Avenue, Suite 4400
Seattle, WA 98104
Telephone: (206) 623-1700

tyler.farmer@bclplaw.com
elisabeth.read@bclplaw.com

***Attorneys for Defendants nLIGHT, Inc., Dahv Kliner
and Roger L. Farrow***